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8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 MARK R. JONES, individually and on behalf
of all others similarly situated,

13
14 Plaintiff,

15 v.

16
17 CENTERONE FINANCIAL SERVICES,
LLC, a corporation; and DOES 1-50,
18 inclusive,

19 Defendant.

Case No. 4:14-cv-01673 SI

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

[Civil Local Rules 6-2 and 7-12]

[Complaint filed: March 3, 2014]

1 Pursuant to the following stipulation, the parties have agreed to, and request that
2 the Court grant, a continuance of the September 5, 2014 Initial Case Management Conference
3 ("CMC") in this action to **December 12, 2014 at 2:30 p.m.**, and that all related deadlines be
4 continued accordingly.

5 **STIPULATION**

6 Pursuant to Civil Local Rules 6-2 and 7-12, defendant CenterOne Financial
7 Services, LLC ("CenterOne") and plaintiff Mark R. Jones ("Jones") stipulate and request as
8 follows:

9 WHEREAS, on June 26, 2014, the Court entered the parties' Stipulation and Order
10 Continuing Case Management and Related Deadlines, which continued the CMC until five weeks
11 after the hearing on CenterOne's initial Motion to Dismiss (Docket No. 23);

12 WHEREAS, on July 31, 2014, the Court issued its Order Denying Plaintiff's
13 Motion to Remand and Granting Defendant's Motion to Dismiss the Complaint With Leave to
14 Amend (Docket No. 25), in which it set a deadline of August 15, 2014 for Jones to file his
15 amended complaint;

16 WHEREAS, it is anticipated that a further motion to dismiss will be filed as to the
17 claims in plaintiff's amended complaint, which motion would be due no later than August 29,
18 2014 for hearing on November 7, 2014, pursuant to the Court's currently available dates in Fall
19 2014;

20 WHEREAS, the current CMC date of September 5, 2014 would require the parties
21 to begin the Rule 26 meet-and-confer process shortly and file a joint case management statement
22 by August 29, 2014;

23 WHEREAS, the case schedule originally contemplated a five week period between
24 defendant's Motion to Dismiss and the initial CMC;

25 WHEREAS, pursuant to Civil L.R. 6-2(a)(1), the parties have conferred and agree
26 that continuing the CMC and related deadlines until after this Court has ruled on on CenterOne's
27 renewed Motion to Dismiss would be in the parties' best interests and in the interest of judicial
28 economy;

1 WHEREAS, with respect to Civil L.R. 6-2(a)(2), the previous time modifications in
 2 this action include: a) the re-setting of the Initial CMC by the Clerk from July 30, 2014 to August
 3 1, 2014 (Docket Nos. 4 and 11); b) the Clerk's Notice of May 14, 2014 continuing the hearing for
 4 CenterOne's Motion to Dismiss to June 27, 2014 at 9:00 a.m. (Docket No. 16); c) the Clerk's
 5 Notice of June 18, 2014 continuing the hearing on CenterOne's Motion to Dismiss to August 1,
 6 2014 at 9:00 a.m. (Docket No. 21), and d) the Court's Stipulation and Order Continuing Case
 7 Management and Related Deadlines, continuing the initial CMC to September 5, 2014 (Docket
 8 No. 23);

9 WHEREAS, with respect to Civil L.R. 6-2(a)(3), a continuance of the initial CMC
 10 and related deadlines until five weeks after the anticipated November 7, 2014 hearing on
 11 defendant's renewed motion to dismiss will not, at this early stage, have a significant effect on the
 12 overall schedule for this case, and merely re-establishes the timing that existed when defendant's
 13 motion to dismiss was set for June 27, 2014 and the initial CMC was set for August 1, 2014;

14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED that the
 15 Court continue the current September 5, 2014 Initial CMC to **December 12, 2014 at 2:30 p.m.**
 16 and continue all related deadlines accordingly.

17 **E-FILING ATTESTATION**

18 By her signature below, counsel for CenterOne attests that counsel for all parties
 19 whose electronic signatures appear below have concurred in the filing of this Stipulation.

20 Dated: August 11, 2014

SHEPPARD, MULLIN, RICHTER & HAMPTON
 LLP

21 By: /s/ Anna S. Mclean

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28 CENTERONE FINANCIAL SERVICES, LLC

1 Dated: August 11, 2014

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2 By: /s/ Bryan Kemnitzer

3 BRYAN KEMNITZER

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6 Attorneys for Plaintiff

7 MARK R. JONES

8
9 **ORDER**

10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

11
12
13 Dated: 8/12/14

14 

15 The Honorable Susan Illston

16 United States District Court Judge